

Notice of Allowability

Application No.

09/925,786

Examiner

Nabil M. El-Hady

Applicant(s)

DAVIS ET AL.

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2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/12/2005.
2. ☒ The allowed claim(s) is/are 1-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 11/8/2005.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.



EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James Yancey, Jr, Reg. No. 53,809 on November 8, 2005.

2. The application has been amended as follows:

A. In the specification:

a) amend the paragraph in page 1, under "CROSS-REFERENCE TO RELATED APPLICATIONS" to read:

-- This application is a continuation-in-part of the following U.S. utility patent applications: U.S. Patent Application Serial No. 09/271,517, filed March 18, 1999, and entitled, "System For Monitoring Conditions in a Residential Living Community," now abandoned; U S Patent Application Serial No. 09/439,059, filed November 12, 1999, and entitled, "System and Method for Monitoring and Controlling Remote Devices", now U.S. Patent No. 6,437,692, issued August 20, 2002; U. S. Patent Application Serial No. 09/812,809, filed March 20, 2001, and entitled, "System and Method for Monitoring the Light Level in a Lighted Area", now abandoned, which is a continuation-in-part of U S Patent Application Serial No.

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09/412,895, filed October 5, 1999, and entitled, "System For Monitoring the Light Level Around and ATM," now U.S. Patent No. 6,218,953, issued April 17, 2001. Each of the identified U. S. patent applications is incorporated herein by reference in its entirety. This application also claims the benefit of U.S. Provisional Application Serial No. 60/223,943, filed August 9, 2000, and entitled "Design Specifications for a Site Controller" which is hereby incorporated by reference in its entirety. --.

b) Amend the 3rd paragraph in line 24 starting with " It will be further .. " to read:

-- It will be further appreciated that automated monitoring system 100 in accordance with the present invention may be used in a variety of environments. In one embodiment, automated monitoring system 100 may be employed to monitor and record utility usage by residential and industrial customers, to transfer vehicle diagnostics from an automobile via a wireless transceiver integrated with the vehicle diagnostics bus to a local transceiver that further transmits the vehicle information through a local gateway onto a WAN, to monitor and control all irrigation system, to automate a parking facility, to monitor and control a residential security system, etc, which are described in more detail in the commonly assigned U. S. Patent Application Serial No. 09/704,150, and entitled, "System and Method for Monitoring and Controlling Residential Devices," now U.S. Patent No. 6,891,838, issued May 10, 2005. --

B. In the claims:

I. In claim 1:

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a) line 19, after “devices,” insert – and the identification of each of the plurality of communication devices in the one or more communication paths, wherein --;

b) line 21, after “devices,” insert – and --.

II. In claim 10:

a) line 7, delete “wireless”.

III. In claim 11:

a) line 2, delete “wireless”.

IV. In claim 15:

a) line 22, after “devices” insert – , and the identification of each of the plurality of communication devices in the one or more communication paths --;.

V. In claim 23:

a) line 13, after “devices,” insert – and the identification of each of the plurality of communication devices in the one or more communication paths, wherein --;

b) line 15, after “devices,” insert – and --.


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabil M. El-Hady whose telephone number is (571) 272-3963. The examiner can normally be reached on 9:00 - 4:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 8, 2005



Nabil El-Hady, Ph.D., M.B.A.
Primary Examiner
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